



D-SHO-301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/941,825

Group Art: 3732

Inventor: Shoher et al

Filed: 08/29/01

Title: Adaptation Device and Method

Examiner:

PETITION TO WITHDRAW ABANDONMENT

Assistant Commissioner of Patents & Trademarks
Washington D.C. 20231
July 18, 2002

Sir:

Applicant respectfully petitions to withdraw the abandonment of the above application which apparently has never been formally issued.

Starting in November of 2002 Applicant made a number of telephone inquiries as to the status of this application and was told that this application was still in the application branch. Thereafter applicant made a more formal status request addressed in writing to the US Patent and Trademark Office on February 26, 2003 a copy of which is attached. In response applicant received a letter entitled "COVER LETTER FOR RESENDING CORRESPONDENCE" dated March 10, 2003, a copy of which is attached, referring to a courtesy copy of a paper dated 10/01/2001 entitled "NOTICE TO FILE CORRECTED APPLICATION PAPERS", a copy of which is also attached.

Following the filing of the application on August 29, 2001 which was

evidenced by a return postcard identifying the serial number and date of receipt applicant failed to receive any correspondence for this application. A "Replacement Filing Receipt" a copy of which is attached, was forwarded to applicant with the "COVER LETTER FOR RESENDING CORRESPONDENCE" and is also dated March 10, 2003.

The Abandonment should be withdrawn based upon the fact that applicant never received the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" dated 10/01/2001 until a copy of which was forwarded to applicant on March 10, 2003 with the "COVER LETTER FOR RESENDING CORRESPONDENCE".

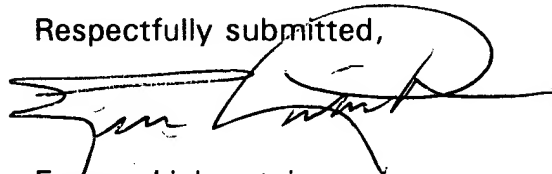
The undersigned as, attorney of record, makes the following statement in support of this petition:

I, Eugene Lieberstein, hereby state that neither the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" or any other correspondence was ever received by applicant and hereby attests to the fact that a search of the file jacket and docket records substantiate the fact that the alleged correspondence was never received. Applicant submits herewith a photocopy of the file cover of this application as further evidence to show that no Office Communication was ever received to date.

Accordingly, Applicant respectfully requests that the Abandonment of this application be withdrawn and that the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" be re-sent so that applicant has an opportunity

to respond thereto and expedite the prosecution of the application.

Respectfully submitted,

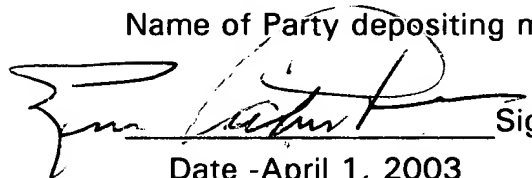


Eugene Lieberstein
Attorney for Applicant
Registration No. 24645

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231 on April 1, 2003.

Name of Party depositing mail ----Eugene Lieberstein



Signature

Date -April 1, 2003



32-00 Skillman Avenue Long Island City, NY 11101 (718) 433-3800 (800) 221-3218
No. 8029-3L ©1995 Kruysman